

REMARKS

The Office Action has entered an objection to the specification because of a typographical error in paragraph 0009, which has been corrected. Also corrected is a typographical error in paragraph 0044. The Office Action also objects to the drawings because a reference sign was omitted, and that defect has also been corrected.

Claims 1-8, 10-20, 22-37, and 39-43 stand rejected under 35 U.S.C. §103 as obvious over U.S. Pat. App. Pub. 2002/0059382 of Yamaguchi *et al.* in combination with U.S. Patent 5,771,355 of Kuzma, and also in combination with U.S. Patent 6,275,848 to Arnold. Assignee respectfully traverses the rejections, and thanks the Examiner for the indication that 9, 21, and 38 are drawn to allowable subject matter.

The first named inventor, James A. Parker, had his first name misspelled on the November 15 Office Action. Assignee requests that the Office make appropriate correction.

CLAIMS 16, 22

The Office Action proposes two different rejections, both combining Yamaguchi with another reference. However, Yamaguchi is the only reference alleged to teach or suggest "a plurality of recipient fields for recording which recipient addresses were authorized to view an attachment or edit the attachment." Even assuming that is true for the sake of argument, assignee's claims 16, 22 do not merely recite that general subject matter. Rather, they call for modifying operation of an electronic message program such that a displayed message window that ordinarily includes a message recipient field further includes a file viewer field and a file editor field.

In contrast, Yamaguchi relies on "TO" and "CC, BCC" message recipient fields to differentiate between file viewers and file editors. By doing so, it is less flexible than assignee's claimed approach where an individual is granted authorization to view or edit a file independently of whether he or she is designated as a message recipient with "TO," a secondary message recipient with "CC," or a secret secondary message recipient with "BCC."

AMENDMENTS TO THE DRAWINGS

Please substitute the attached Replacement Sheet of drawings in place of the original sheet on which FIG. 2 is drawn. Previously omitted element 230 has been added to FIG. 2.

The Examiner has indicated allowability of dependent claims 9, 21, 38 that further recite specific "VIEWER:" and "EDITOR:" labels for the file viewer and file editor fields, or "linguistic equivalent[s] thereof." With that explicit labeling, the dependent claims make it abundantly clear that those fields are distinct from a message recipient field merely designating who is to receive a given message, and the Examiner's recognition that the claims would be allowable in independent form is appreciated. However, assignee believes that the particular form of labeling, whether in a linguistic form as specified in the dependent claims or in some other form (e.g., iconic), is less important than the basic distinction of having those three separate fields. Assignee believes that this is what the Examiner had in mind when allowing the dependent claims. But the basic distinction is also present in the independent claims as well, because claims 16 and 22 recite a displayed message window that includes a message recipient field (as is conventional) as well as further including a file viewer field and a file editor field.

Accordingly, claims 16, 22 are allowable. Claims 17-21 and 23-24 are allowable because of their dependency from claims 16, 22 and also because of their various additional limitations.

CLAIM 26

The Office Action rejects claim 26 on the same basis as claims 16, 22. Claim 26 has been restructured for clarity without narrowing its scope or responding to any concerns about patentability in its original form. It calls for data frames that identify addresses of viewers and editors authorized to view and modify of file, respectively, in addition to a "message recipient" data frame. Thus it and its dependent claims 23-24 are allowable for the reasons discussed above with reference to claims 16, 22.

CLAIMS 15, 25

The Office Action rejects claims 15, 25 on the same basis as claims 16, 22. Claim 15 is in "means plus function" format and recites "means for identifying addresses of one or more recipients of [a] message and designating each recipient as having viewing

or editing privileges” of a file.¹ Claim 25 has parallel limitations. Under 35 U.S.C. §112(6), those “means” correspond to the “structure” described in assignee’s specification, or equivalents. The specification discloses programs or programmed computers that generate an email with fields that are labeled, or have the purpose of, distinguishing the viewers from the editors. As discussed in connection with claims 16, 22 above, that structure is distinct from, not equivalent to, and not suggested by Yamaguchi’s “TO vs. CC/BCC” system of designating file viewers vs. editors. Accordingly, claim 15, 25 are also allowable.

CLAIM 29

The Office Action rejects claim 29 on the same basis as claims 16, 22. Claim 29 calls for transmitting data of a file separately from electronic messages sent to addresses of file accessors who are authorized for “direct access” to the file, and transferring data of a file as an attachment to addresses of file accessors who are not authorized for “direct file access.”

The claimed arrangement is not anticipated by or obvious over references that discuss the selective transmission of file attachments to different recipients, *e.g.*, U.S. Patent 6,327,612 to Watanabe. Rather, the claimed arrangement transmits data of a file in different ways to address different needs. As explained in paragraph 0090 of assignee’s specification, the claimed technique advantageously accommodates policies that prohibit persons outside an organization’s local area network from accessing files directly. With direct file access, the current contents of a file can be made available while file editors are in the process of modifying its contents, and it may be desirable to prevent such access by persons who are not “internal” to an organization offering only the “snapshot” of a static file attachment instead.

Claim 29 is thus allowable along with a new counterpart claim 49 to a data storage medium and their dependent claims 30-33, 37-38, and 50-52. In addition to being dependent from allowable claims, they recite various additional limitations

¹The word “respectively” in claim 15 is superfluous and has been deleted.

including the file viewer and file editor fields discussed above with reference to other independent claims.

CLAIMS 1, 14

The Office Action rejects claims 1, 14 on the same basis as claims 16, 22. Claims 1, 14 call for the display of an electronic message window that includes a plurality of fields including a first field, a second field, and a third field. The claims formerly referred to a “message recipient field, a file viewer field, and a file editor field” instead, but have been amended to avoid any possible misunderstanding about the distinctness of the three separate fields. (There is no implication of any particular order in the email by applying the labels “first,” “second,” and “third,” though the claim has been reworded slightly so that the field used for conventionally identifying message recipients is the “first” field.)

Yamaguchi discusses transmitting a file differently to a “copy distribution address” (para. 0051) than to a “main recipient” (para. 0050) so that the main recipient can read and write file contents while a recipient at a copy distribution address can only read the file. Yamaguchi determines a recipient’s access rights based on how that recipient is addressed. In view of the discussion above, however, it is clear that neither Yamaguchi nor any other cited reference teaches or suggests the use of distinct fields to record indicia identifying viewers or editors authorized to view or modify a file accessed via an electronic message in addition to the use of a field indicating addresses to which the electronic message is being sent. Using additional, distinct fields as recited in claims 1, 14 allows file viewing and editing access rights to be designated regardless of how a particular recipient is being addressed and is a more flexible solution than Yamaguchi’s.

As in the discussion above regarding claims 16, 22, assignee notes that the particular “VIEWER:” and “EDITOR:” or linguistic equivalent labeling recited in dependent claim 38 is allowable (as indicated by the Examiner) not just because of that particular labeling but because of the underlying distinction applicable to the independent claims as well. Namely, fields that identify viewers or editors are

provided in addition to a field indicating recipient addresses. Claims 1 and 14 are thus allowable along with dependent claims 2-13.

CONCLUSION

Assignee respectfully submits that all claims are allowable and requests prompt passage of the application to issue. Please feel free to telephone the undersigned if it would in any way advance prosecution of the application.

Respectfully submitted,
TACIT NETWORKS, INC.
by its attorney



Dated: April 6, 2005

Louis J. Hoffman
Reg. No. 38,918

LOUIS J. HOFFMAN, P.C.
14614 North Kierland Boulevard
Suite 300
Scottsdale, Arizona 85254
(480) 948-3295

